



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7
RECEIVED
DEC 27 2001
PAT. TECH. CENTER 1600/2900

In re Application of:

MARRIOTT et al.

Group Art Unit: 1615

Serial No.: 09/646,111

Examiner: S. Tran

Filed: November 20, 2000

For: IMPROVED CRYSTAL STRUCTURE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Official Action of November 27, 2001, in connection with the above-identified application.

The Official Action is an election of species requirement in which it is urged that there are four patentably distinct species of the claimed invention. In the Official Action, the Examiner indicated that claim 1 was a generic claim which will be examined with the elected species. In response to this requirement Applicants elect the species directed to lactose monohydrate crystals readable on claims 7 (in part), 12 and 13, without traverse.

Accordingly, an examination of the elected invention and action on the claims readable thereon is most respectfully requested.

Respectfully submitted,
BACON & THOMAS, PLLC

By: Richard E. Fichter
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, 4th Fl.
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080
REF:kdd
Election of Species.wpd
December 20, 2001